

115TH CONGRESS  
1ST SESSION

# H. R. 3400

To promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2017

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Transportation and Infrastructure, Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Recreation Not Red-Tape Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.  
 Sec. 2. Definitions.  
 Sec. 3. Sense of Congress regarding outdoor recreation.

#### TITLE I—MODERNIZING RECREATION PERMITTING

- Sec. 101. Special recreation permitting.  
 Sec. 102. Availability of Federal and State recreation passes.  
 Sec. 103. Online purchases of National Parks and Federal Recreational Lands Pass.

#### TITLE II—ACCESSING THE OUTDOORS

- Sec. 201. Access for servicemembers and veterans.

#### TITLE III—MAKING RECREATION A PRIORITY

- Sec. 301. Extension of seasonal recreation opportunities.  
 Sec. 302. Recreation performance metrics.  
 Sec. 303. Recreation mission.  
 Sec. 304. Ski area fee retention.  
 Sec. 305. National Recreation Area System.

#### TITLE IV—MAINTENANCE OF PUBLIC LAND

##### Subtitle A—Volunteers

- Sec. 401. Private-sector volunteer enhancement program.

##### Subtitle B—Priority Trail Maintenance

- Sec. 411. Interagency trail management.

## 1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **FEDERAL LAND MANAGEMENT AGENCY.**—

4 The term “Federal land management agency” has  
 5 the meaning given the term in section 802 of the  
 6 Federal Lands Recreation Enhancement Act (16  
 7 U.S.C. 6801).

8 (2) **FEDERAL RECREATIONAL LAND AND**

9 **WATER.**—The term “Federal recreational land and  
 10 water” has the meaning given the term “Federal  
 11 recreational lands and waters” in section 802 of the

1 Federal Lands Recreation Enhancement Act (16  
2 U.S.C. 6801).

3 (3) SECRETARIES.—Except as otherwise pro-  
4 vided in this Act, the term “Secretaries” means—

5 (A) the Secretary of the Interior; and

6 (B) the Secretary of Agriculture.

7 **SEC. 3. SENSE OF CONGRESS REGARDING OUTDOOR**  
8 **RECREATION.**

9 It is the sense of Congress that—

10 (1) outdoor recreation and the  
11 \$887,000,000,000 outdoor industry that outdoor  
12 recreation supports are vital to the United States;

13 (2) access to outdoor recreation on land and  
14 waters of the United States is important to the  
15 health and wellness of all people of the United  
16 States, especially young people;

17 (3) \$524,800,000,000 of the amount described  
18 in paragraph (1) contributes to the travel and tour-  
19 ism industry of the United States, which generates  
20 over \$2,000,000,000,000 in annual spending;

21 (4) outdoor recreation (including hunting, fish-  
22 ing, and boating) are appropriate uses of public  
23 land;

1           (5) access to healthy public land and water is  
2       critical to supporting the uses described in para-  
3       graph (4);

4           (6) Congress supports the creation of outdoor  
5       recreation sector leadership positions within the eco-  
6       nomic development offices of States or in the office  
7       of the Governor, as well as coordination with recre-  
8       ation and tourism organizations within the State to  
9       guide the growth of this sector, as evidenced by re-  
10      cent examples in the States of Colorado, Utah, and  
11      Washington;

12          (7) State and local recreation and tourism of-  
13      fices play a pivotal role in—

14            (A) coordinating State outdoor recreation  
15      policies, management, and promotion among  
16      Federal, State, and local agencies and entities;

17            (B) disseminating information, increasing  
18      awareness, and growing demand for outdoor  
19      recreation experiences among visitors across the  
20      United States and throughout the world;

21            (C) improving funding for, access to, and  
22      participation in outdoor recreation; and

23            (D) promoting economic development in  
24      the State by coordinating with stakeholders, im-

1           proving recreational opportunities, and recruit-  
2           ing outdoor recreation businesses;

3           (8) Congress supports the coordination and col-  
4           laboration of the Federal and State land and water  
5           management agencies in the delivery of visitor serv-  
6           ices and management of outdoor recreation for the  
7           United States; and

8           (9) Congress recognizes—

9                   (A) the growing role that recreation has on  
10                  public land and water;

11                   (B) the need to provide adequate staffing  
12                  within Federal land management agencies to fa-  
13                  cilitate sustainable and accessible outdoor recre-  
14                  ation opportunities; and

15                   (C) the important role that volunteers and  
16                  volunteer partnerships play in maintaining pub-  
17                  lic land.

## 18           **TITLE I—MODERNIZING** 19           **RECREATION PERMITTING**

### 20   **SEC. 101. SPECIAL RECREATION PERMITTING.**

21           Section 803(h) of the Federal Lands Recreation En-  
22   hancement Act (16 U.S.C. 6802(h)) is amended—

23                   (1) by striking “The Secretary” and inserting  
24                  the following:

25                   “(1) IN GENERAL.—The Secretary”; and

1 (2) by adding at the end the following:

2 “(2) OUTFITTERS AND GUIDES.—

3 “(A) DEFINITIONS.—In this paragraph:

4 “(i) ASSOCIATED AGENCY.—The term  
5 ‘associated agency’ means any agency that  
6 manages the land or water on which a mi-  
7 nority portion of the trip or activity that is  
8 the subject of a special recreation permit  
9 will take place.

10 “(ii) LEAD AGENCY.—The term ‘lead  
11 agency’ means the agency that manages  
12 the land or water on which the majority of  
13 the trip or activity that is the subject of  
14 the special recreation permit will take  
15 place.

16 “(B) OUTFITTER AND GUIDE PERMITS.—

17 In issuing special recreation permits or charg-  
18 ing special recreation permit fees in connection  
19 with the issuance of permits under paragraph  
20 (1) with respect to outfitters and guides, within  
21 a reasonable time after the date of enactment  
22 of the Recreation Not Red-Tape Act, the Direc-  
23 tor of the Bureau of Land Management and the  
24 Chief of the Forest Service shall, in consulta-  
25 tion with the public, including stakeholder

1 groups that represent the interests of organiza-  
2 tions that facilitate outdoor access—

3 “(i) review permit application forms  
4 and revise if needed to improve efficiency  
5 and ensure the paperwork is concise and  
6 understandable to the general public;

7 “(ii) review the process for the  
8 issuance and renewal of outfitter and guide  
9 special recreation permits and use existing  
10 authorities to streamline permit processes  
11 if applicable;

12 “(iii) coordinate between agencies to  
13 develop consistent submission deadlines for  
14 activities that cross jurisdictional bound-  
15 aries;

16 “(iv) shorten application processing  
17 times and minimize application and admin-  
18 istration costs; and

19 “(v) create outreach materials and  
20 make the materials available online and in  
21 print to help outfitters and guides navigate  
22 the permitting process.

23 “(C) PERMITS FOR CROSS-JURISDICTIONAL  
24 TRIPS.—

1           “(i) IN GENERAL.—In the case of an  
2           activity or trip requiring a permit issued  
3           under the subsection for use of land man-  
4           aged by the Forest Service and the Bureau  
5           of Land Management that will cross juris-  
6           dictional boundaries, the Secretaries shall  
7           issue a joint permit based on a single ap-  
8           plication to both agencies if the issuance of  
9           a joint permit based on a single application  
10          will lower the processing and other admin-  
11          istrative costs for the permittee, unless the  
12          permit applicant opts to apply for separate  
13          permits rather than a joint permit.

14          “(ii) PERMIT APPLICATION.—The per-  
15          mit application required under clause (i)  
16          shall be—

17                 “(I) the application required by  
18                 the lead agency; and

19                 “(II) submitted to the lead agen-  
20                 cy.

21          “(iii) REQUIREMENTS OF LEAD AGEN-  
22          CY.—The lead agency for a permit issued  
23          under clause (i) shall—

24                 “(I) coordinate, consistent with  
25                 the authority of the Secretaries under

1 section 330 of the Department of the  
2 Interior and Related Agencies Approp-  
3 riations Act, 2001 (43 U.S.C. 1703),  
4 to develop, in consultation with the  
5 public (including stakeholder groups  
6 that represent the interests of organi-  
7 zations that facilitate outdoor access),  
8 a process for issuing 1 joint permit  
9 that covers the entirety of the trip;

10 “(II) in processing the joint per-  
11 mit application, consider the findings,  
12 requirements, interests, and needs of  
13 the lead agency and any associated  
14 agencies; and

15 “(III) coordinate with the associ-  
16 ated agencies to develop a method for  
17 cost sharing.

18 “(D) REASONABLE TIMEFRAME.—The  
19 Secretaries shall complete the permitting proc-  
20 ess under this paragraph within a reasonable  
21 timeframe.

22 “(E) ONLINE AVAILABILITY.—To the max-  
23 imum extent practicable, where feasible and ef-  
24 ficient, the Secretaries shall make available—

1 “(i) all special recreation permit appli-  
 2 cations, to be filled out and submitted on-  
 3 line; and

4 “(ii) online information regarding—  
 5 “(I) the application process; and  
 6 “(II) the means by which an ap-  
 7 plicant can contact the Secretaries for  
 8 guidance on the permit process before  
 9 submitting a permit application.”.

10 **SEC. 102. AVAILABILITY OF FEDERAL AND STATE RECRE-**  
 11 **ATION PASSES.**

12 (a) IN GENERAL.—The Federal Lands Recreation  
 13 Enhancement Act is amended by inserting after section  
 14 805 (16 U.S.C. 6804) the following:

15 **“SEC. 805A. AVAILABILITY OF FEDERAL AND STATE RECRE-**  
 16 **ATION PASSES.**

17 “(a) ESTABLISHMENT OF PROGRAM.—

18 “(1) IN GENERAL.—To improve the procure-  
 19 ment of Federal and State outdoor recreation  
 20 passes, the Secretaries are encouraged to consult  
 21 with States to coordinate the availability of Federal  
 22 and State recreation passes in a way that allows a  
 23 purchaser to buy a Federal recreation pass and a  
 24 State recreation pass at Federal and State facilities  
 25 in the same transaction.

1           “(2) INCLUDED PASSES.—Passes covered by  
2           the program established under paragraph (1) in-  
3           clude—

4                   “(A) a National Parks and Federal Rec-  
5                   reational Lands Pass under section 805; and

6                   “(B) a pass that shall cover any fees  
7                   charged by participating States and localities  
8                   for entrance and recreational use of parks and  
9                   public land in the participating States.

10          “(b) AGREEMENTS WITH STATES.—

11                   “(1) IN GENERAL.—The Secretaries, after con-  
12                   sultation with the States, may enter into agreements  
13                   with States to coordinate the availability of passes  
14                   as described in subsection (a)(1).

15                   “(2) REVENUE FROM PASS SALES.—The agree-  
16                   ments between the Secretaries and the States shall  
17                   ensure that—

18                           “(A) funds from the sale of State passes  
19                           are transferred to the appropriate State agency;

20                           “(B) funds from the sale of Federal passes  
21                           are transferred to the appropriate Federal  
22                           agency; and

23                           “(C) fund transfers are completed by the  
24                           end of a fiscal year for all pass sales occurring  
25                           during the fiscal year.

1           “(3) NOTICE.—In entering into an agreement  
2           under paragraph (1), the Secretaries shall publish in  
3           the Federal Register a notice describing the agree-  
4           ment.”.

5           (b) CONFORMING AMENDMENT.—Section 805(a)(9)  
6           of the Federal Lands Recreation Enhancement Act (16  
7           U.S.C. 6804(a)(9)) is amended by inserting “and section  
8           805A” before the period at the end.

9   **SEC. 103. ONLINE PURCHASES OF NATIONAL PARKS AND**  
10                   **FEDERAL RECREATIONAL LANDS PASS.**

11           (a) IN GENERAL.—Section 805(a)(6) of the Federal  
12           Lands Recreation Enhancement Act (16 U.S.C.  
13           6804(a)(6)) is amended by striking subparagraph (A) and  
14           inserting the following:

15                   “(A) IN GENERAL.—The Secretaries shall  
16                   sell the National Parks and Federal Rec-  
17                   reational Lands Pass—

18                           “(i) at all Federal recreational lands  
19                           and waters at which an entrance fee or a  
20                           standard amenity recreation fee is charged;

21                           “(ii) at such other locations as the  
22                           Secretaries consider appropriate and fea-  
23                           sible; and

24                           “(iii) through the website of each of  
25                           the Federal land management agencies and

1 the websites of the relevant units and  
 2 subunits of those agencies, with—

3 “(I) a prominent link on each  
 4 website; and

5 “(II) information about where  
 6 and when passes are needed.”.

7 (b) ENTRANCE PASS AND AMENITY FEES.—The Sec-  
 8 retaries shall make available for purchase or payment on-  
 9 line, if appropriate and feasible, for each unit where passes  
 10 and fees are required—

11 (1) all entrance fees under section 803(e) of the  
 12 Federal Lands Recreation Enhancement Act (16  
 13 U.S.C. 6802(e));

14 (2) all standard amenity recreation fees under  
 15 section 803(f) of that Act (16 U.S.C. 6802(f)); and

16 (3) all expanded amenity recreation fees under  
 17 section 803(g) of that Act (16 U.S.C. 6802(g)).

## 18 **TITLE II—ACCESSING THE** 19 **OUTDOORS**

### 20 **SEC. 201. ACCESS FOR SERVICEMEMBERS AND VETERANS.**

21 (a) IN GENERAL.—The Secretaries are encouraged to  
 22 work with the Secretary of Defense and the Secretary of  
 23 Veterans Affairs on ways to ensure servicemembers and  
 24 veterans have access to outdoor recreation and to outdoor-

1 related volunteer and wellness programs as a part of the  
2 basic services provided to servicemembers and veterans.

3 (b) INCLUSION OF INFORMATION.—Each branch of  
4 the Armed Forces is encouraged to include information  
5 regarding outdoor recreation and outdoors-based careers  
6 in the materials and counseling services focused on resil-  
7 ience and career readiness provided in transition pro-  
8 grams, including—

9 (1) the benefits of outdoor recreation for phys-  
10 ical and mental health;

11 (2) resources to access guided outdoor trips and  
12 other outdoor programs connected to the local office  
13 of the Department of Veterans Affairs; and

14 (3) information regarding programs and jobs  
15 focused on continuing national service such as the  
16 Public Land Corps of the National Park Service,  
17 AmeriCorps, or a conservation corps program.

18 (c) OUTDOOR RECREATION PROGRAM ATTEND-  
19 ANCE.—Each branch of the Armed Forces is encouraged  
20 to permit members of the Armed Forces on active duty  
21 status, at the discretion of the commander of the member,  
22 to use not more than 7 days of a permissive temporary  
23 duty assignment or terminal leave allotted to the member  
24 to participate in a program related to environmental stew-

1 ardsip or guided outdoor recreation following deploy-  
2 ment.

3 (d) VETERAN HIRING.—The Secretaries are strongly  
4 encouraged to hire veterans in all positions related to the  
5 management of Federal land.

## 6 **TITLE III—MAKING RECREATION** 7 **A PRIORITY**

### 8 **SEC. 301. EXTENSION OF SEASONAL RECREATION OPPOR-** 9 **TUNITIES.**

10 (a) IN GENERAL.—The relevant unit managers of  
11 land managed by the Forest Service, the Bureau of Land  
12 Management, and the National Park Service, through the  
13 respective land management planning processes of those  
14 agencies, may—

15 (1) identify areas of Federal recreational land  
16 and water in which recreation use is highly seasonal;

17 (2) where appropriate, develop a management  
18 plan for extending the recreation season or increas-  
19 ing recreation use in a sustainable manner during  
20 the offseason; and

21 (3) make information about extended season  
22 schedules and related recreational opportunities  
23 available to the public and local communities.

24 (b) INCLUSIONS.—The management plan developed  
25 under subsection (a)(2) may include—

1 (1) the addition of facilities that would increase  
2 recreation use during the offseason; and

3 (2) improvement of access to the area to extend  
4 the season.

5 (c) REQUIREMENT.—The management plan devel-  
6 oped under subsection (a)(2) shall be compatible with all  
7 applicable Federal laws, regulations, and policies, includ-  
8 ing land use plans.

9 **SEC. 302. RECREATION PERFORMANCE METRICS.**

10 (a) IN GENERAL.—The Chief of the Forest Service  
11 and the Director of the Bureau of Land Management shall  
12 evaluate land managers under their jurisdiction based on  
13 the achievement of applicable agency recreational and  
14 tourism goals as described in applicable land management  
15 plans.

16 (b) METRICS.—

17 (1) IN GENERAL.—The metrics used to evaluate  
18 recreation and tourism outcomes shall ensure—

19 (A) the advancement of recreation and  
20 tourism goals; and

21 (B) the ability of the land manager to en-  
22 hance the outdoor experience of the visitor.

23 (2) INCLUSIONS.—The metrics referred to para-  
24 graph (1) may include, to the maximum extent prac-  
25 ticable—

- 1 (A) the quality of visitor experience;
- 2 (B) the number of first-time visitors;
- 3 (C) the number of repeat visitors;
- 4 (D) the number of school and youth
- 5 groups that visited;
- 6 (E) the number of available recreational
- 7 opportunities;
- 8 (F) the number of recreational and envi-
- 9 ronmental educational programs offered and the
- 10 success of those programs;
- 11 (G) visitor satisfaction; and
- 12 (H) the maintenance and expansion of ex-
- 13 isting recreation infrastructure.

14 **SEC. 303. RECREATION MISSION.**

15 (a) DEFINITION OF FEDERAL AGENCY.—In this sec-

16 tion, the term “Federal agency” means each of—

- 17 (1) the Corps of Engineers;
- 18 (2) the Bureau of Reclamation;
- 19 (3) the Federal Energy Regulatory Commission;
- 20 and
- 21 (4) the Department of Transportation.

22 (b) MISSION.—With respect to the mission of the

23 Federal agency, each Federal agency shall consider how

24 land and water management decisions can enhance recre-

25 ation opportunities and the recreation economy.

1 **SEC. 304. SKI AREA FEE RETENTION.**

2 (a) IN GENERAL.—Section 701 of division I of the  
3 Omnibus Parks and Public Lands Management Act of  
4 1996 (16 U.S.C. 497c) is amended by adding at the end  
5 the following:

6 “(k) SKI AREA FEE RETENTION ACCOUNT.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) ACCOUNT.—The term ‘Account’  
9 means the Ski Area Fee Retention Account es-  
10 tablished under paragraph (2).

11 “(B) COVERED UNIT.—The term ‘covered  
12 unit’ means an administrative unit of the Na-  
13 tional Forest System subject to a rental charge  
14 under this section.

15 “(C) RENTAL CHARGE.—The term ‘rental  
16 charge’ means a permit rental charge that is  
17 charged under subsection (a).

18 “(D) SECRETARY.—The term ‘Secretary’  
19 means the Secretary of Agriculture.

20 “(2) ESTABLISHMENT.—The Secretary of the  
21 Treasury shall establish in the Treasury a special  
22 account, to be known as the ‘Ski Area Fee Retention  
23 Account’, into which there shall be deposited—

24 “(A) in the case of a covered unit at which  
25 not less than \$15,000,000 is collected by the  
26 covered unit from rental charges in a fiscal

1 year, an amount equal to 50 percent of the  
2 rental charges collected at the covered unit in  
3 the fiscal year; or

4 “(B) in the case of any other covered unit,  
5 an amount equal to 65 percent of the rental  
6 charges collected at the covered unit in a fiscal  
7 year.

8 “(3) AVAILABILITY.—Subject to paragraphs  
9 (4), (5), and (6), any amounts deposited in the Ac-  
10 count under paragraph (2) shall remain available for  
11 expenditure, without further appropriation, until ex-  
12 pended.

13 “(4) LOCAL DISTRIBUTION OF AMOUNTS IN  
14 THE ACCOUNT.—

15 “(A) IN GENERAL.—Except as provided in  
16 subparagraph (B), 100 percent of the amounts  
17 deposited in the Account from a specific covered  
18 unit shall remain available for expenditure at  
19 the covered unit at which the rental charges  
20 were collected.

21 “(B) REDUCTION.—

22 “(i) IN GENERAL.—Subject to clause  
23 (ii), the Secretary may reduce the percent-  
24 age of amounts available to a covered unit  
25 under subparagraph (A) if the Secretary

determines that the rental charges collected at the covered unit exceed the reasonable needs of the covered unit for that fiscal year for authorized expenditures described in paragraph (5)(A).

“(ii) LIMITATION.—The Secretary may not reduce the percentage of amounts available under clause (i)—

“(I) in the case of a covered unit described in paragraph (2)(A), to less than 35 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year; or

“(II) in the case of any other covered unit, to less than 50 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year.

“(C) TRANSFER TO OTHER COVERED UNITS.—

“(i) DISTRIBUTION.—If the Secretary determines that the percentage of amounts otherwise available to a covered unit under subparagraph (A) should be reduced under

1 subparagraph (B), the Secretary may  
2 transfer to other covered units, for alloca-  
3 tion in accordance with clause (ii), the per-  
4 centage of the amounts withheld from the  
5 covered unit under subparagraph (B), to  
6 be expended by the other covered units in  
7 accordance with paragraph (5).

8 “(ii) CRITERIA.—In determining the  
9 allocation of amounts to be transferred  
10 under clause (i) among other covered  
11 units, the Secretary shall consider—

12 “(I) the number of proposals for  
13 ski area improvements in the other  
14 covered units;

15 “(II) any backlog in ski area per-  
16 mit administration or the processing  
17 of ski area proposals in the other cov-  
18 ered units; and

19 “(III) any need for services,  
20 training, or staffing in the other cov-  
21 ered units that would improve the ad-  
22 ministration of the Forest Service Ski  
23 Area Program.

24 “(5) AUTHORIZED EXPENDITURES.—

1           “(A) IN GENERAL.—Amounts distributed  
2           from the Account to a covered unit under this  
3           subsection may be used for—

4                   “(i) ski area special use permit ad-  
5                   ministration and processing of proposals  
6                   for ski area improvement projects in the  
7                   covered unit, including—

8                           “(I) upgrades to, or the replace-  
9                           ment or installation of, passenger  
10                          ropeways, including tramways,  
11                          funiculars, chair lifts, conveyors, and  
12                          tows;

13                           “(II) snowmaking improvements  
14                          and new or upgraded water facilities;

15                           “(III) projects relating to build-  
16                          ings, structures, or other facilities  
17                          owned by the ski area on National  
18                          Forest System land;

19                           “(IV) trail, service road, or ter-  
20                          rain change projects;

21                           “(V) additional seasonal or year-  
22                          round recreational activities and asso-  
23                          ciated facilities and trails in the cov-  
24                          ered unit, including activities carried  
25                          out under section 3(c) of the National

1 Forest Ski Area Permit Act of 1986  
2 (16 U.S.C. 497b(c));

3 “(VI) ski area employee housing  
4 constructed on the permit area or on  
5 nearby National Forest System land;

6 “(VII) land exchanges relating to  
7 the ski area, in accordance with Fed-  
8 eral laws (including regulations); and

9 “(VIII) any other improvements  
10 or facilities to enhance or increase ski  
11 area recreational opportunities;

12 “(ii) training programs on processing  
13 ski area applications and administering ski  
14 area permits; and

15 “(iii) interpretation activities, visitor  
16 information, visitor services, and signage in  
17 the covered unit to enhance—

18 “(I) the ski area visitor experi-  
19 ence on National Forest System land;  
20 and

21 “(II) avalanche information and  
22 education activities carried out by the  
23 Forest Service.

24 “(B) LIMITATION.—Amounts in the Ac-  
25 count may not be used for—

1 “(i) the conduct of wildfire suppres-  
2 sion or preparedness activities;

3 “(ii) the conduct of biological moni-  
4 toring on National Forest System land  
5 under the Endangered Species Act of 1973  
6 (16 U.S.C. 1531 et seq.) for listed species  
7 or candidate species, except as required by  
8 law for environmental review of ski area  
9 projects;

10 “(iii) the acquisition of land for inclu-  
11 sion in the National Forest System; or

12 “(iv) Forest Service administrative  
13 sites.

14 “(6) SAVINGS PROVISIONS.—

15 “(A) IN GENERAL.—Nothing in this sub-  
16 section affects the applicability of section 7 of  
17 the Act of April 24, 1950 (commonly known as  
18 the ‘Granger-Thye Act’) (16 U.S.C. 580d), to  
19 ski areas on National Forest System land.

20 “(B) REVENUE ALLOCATION PAYMENTS.—

21 Rental charges deposited in the Account under  
22 paragraph (2) shall be considered to be  
23 amounts received from the National Forest Sys-  
24 tem for purposes of calculating amounts to be  
25 paid under—

1 “(i) the Secure Rural Schools and  
2 Community Self-Determination Act of  
3 2000 (16 U.S.C. 7101 et seq.);

4 “(ii) the sixth paragraph under the  
5 heading ‘forest service’ in the Act of May  
6 23, 1908 (35 Stat. 260; 16 U.S.C. 500),  
7 and section 13 of the Act of March 1,  
8 1911 (36 Stat. 963; 16 U.S.C. 500); and

9 “(iii) chapter 69 of title 31, United  
10 States Code.

11 “(C) SUPPLEMENTAL FUNDING.—Rental  
12 charges retained and expended under this sub-  
13 section shall supplement (and not supplant) ap-  
14 propriated funding for the operation and main-  
15 tenance of each covered unit.”.

16 (b) EFFECTIVE DATE.—This section (including the  
17 amendments made by this section) shall take effect on the  
18 date that is 60 days after the date of enactment of this  
19 Act.

20 (c) IMPLEMENTATION.—The Secretary shall not be  
21 required to issue regulations or policy guidance to imple-  
22 ment this section (including the amendments made by this  
23 section).

1 **SEC. 305. NATIONAL RECREATION AREA SYSTEM.**

2 (a) DECLARATION OF POLICY; EFFECT OF SEC-  
3 TION.—

4 (1) DECLARATION OF POLICY.—It is the policy  
5 of the United States that—

6 (A) certain natural landscapes possess re-  
7 markable recreational values and should be  
8 managed for sustainable outdoor recreational  
9 and other benefits for the people of the United  
10 States;

11 (B) the remarkable recreational values de-  
12 scribed in subparagraph (A) may include—

13 (i) areas offering existing or prospec-  
14 tive recreation opportunities;

15 (ii) areas that play, or have the poten-  
16 tial to play, a role in addressing high or  
17 unmet demand for recreational opportuni-  
18 ties;

19 (iii) areas that play an important role  
20 in supporting the outdoor recreation econ-  
21 omy;

22 (iv) areas with unique ecological, geo-  
23 logical, hydrological, scenic, cultural, or  
24 historic features or attributes that accom-  
25 modate a variety of outdoor recreation ac-  
26 tivities; and

1 (v) areas with high fish and wildlife  
2 values;

3 (C) in addition to other uses of Federal  
4 land, certain landscapes should be protected  
5 and managed primarily for the recreational, so-  
6 cial, and health benefits people receive from the  
7 landscapes through outdoor recreation, for the  
8 specific and meaningful experiences made pos-  
9 sible by unique and varied landscapes, and for  
10 the contributions those landscapes make in sup-  
11 port of the outdoor recreation economy; and

12 (D) in addition to land identified as Na-  
13 tional Recreation Areas, the Secretaries should  
14 continue to promote recreation on other Federal  
15 land in accordance with applicable land man-  
16 agement plans.

17 (2) EFFECT OF SECTION.—Nothing in this sec-  
18 tion diminishes the importance of prioritizing recre-  
19 ation on Federal land located outside of a National  
20 Recreation Area.

21 (b) DEFINITIONS.—In this section:

22 (1) NATURAL FEATURE.—The term “natural  
23 feature” means a healthy ecological, geological,  
24 hydrological, scenic, cultural, or historic feature or  
25 attribute of a specific area.

1           (2) SECRETARY.—The term “Secretary”  
2 means—

3           (A) the Secretary of the Interior, acting  
4 through the Director of the Bureau of Land  
5 Management with respect to land administered  
6 by the Bureau of Land Management; and

7           (B) the Secretary of Agriculture, acting  
8 through the Chief of the Forest Service, with  
9 respect to National Forest System land.

10          (3) SYSTEM.—The term “System” means the  
11 National Recreation Area System established by  
12 subsection (c).

13          (4) SYSTEM UNIT.—The term “System unit”  
14 means a System unit designated pursuant to sub-  
15 section (c).

16          (c) COMPOSITION.—There is established a National  
17 Recreation Area System, to be comprised of—

18           (1) existing National Recreation Areas de-  
19 scribed in subsection (g); and

20           (2) new System units designated by Congress  
21 on or after the date of enactment of this Act.

22          (d) ADMINISTRATION.—

23           (1) IN GENERAL.—The Secretary shall manage  
24 each System unit in a manner that maximizes the  
25 protection and enhancement of the remarkable rec-

1 reational values of the System unit (including nat-  
2 ural features that support the recreation experi-  
3 ences) consistent with subsection (a)(1)(C), and pro-  
4 vides for enjoyment by current and future genera-  
5 tions.

6 (2) STATE, TRIBAL, AND LOCAL INVOLVE-  
7 MENT.—The Secretary shall consult and work, to  
8 the maximum extent practicable, with States, polit-  
9 ical subdivisions of States, affected Indian tribes,  
10 adjacent landowners, and the public in the planning  
11 and administration of System units.

12 (3) FISH AND WILDLIFE.—

13 (A) IN GENERAL.—Nothing in this section  
14 affects the jurisdiction or responsibilities of a  
15 State with respect to fish and wildlife in a Sys-  
16 tem unit in the State.

17 (B) ADMINISTRATION.—Hunting, fishing,  
18 and motorized recreation (including boating)  
19 may be allowed on System units if permitted  
20 under applicable Federal and State laws (in-  
21 cluding regulations) and conducted in accord-  
22 ance with the applicable land management  
23 plans.

1           (4) WATER RIGHTS.—Nothing in this section  
2           affects any valid or vested water right in existence  
3           on the date of enactment of this Act.

4           (e) COMPONENTS OF NATIONAL RECREATION AREA  
5   SYSTEM.—

6           (1) MAP; LEGAL DESCRIPTION.—

7                   (A) IN GENERAL.—For System units es-  
8                   tablished on or after the date of enactment of  
9                   this Act, as soon as practicable after the date  
10                  of designation of a System unit, the Secretary  
11                  shall prepare a map and legal description of the  
12                  System unit.

13                  (B) FORCE OF LAW.—The map and legal  
14                  description filed under subparagraph (A) shall  
15                  have the same force and effect as if included in  
16                  this section, except that the Secretary may cor-  
17                  rect typographical errors in the map and legal  
18                  description.

19                  (C) PUBLIC AVAILABILITY.—The map and  
20                  legal description filed under subparagraph (A)  
21                  shall be on file and available for public inspec-  
22                  tion in the appropriate offices of the Bureau of  
23                  Land Management and the Forest Service.

24           (2) COMPREHENSIVE MANAGEMENT PLAN.—

1 (A) IN GENERAL.—The Secretaries shall  
2 prepare a comprehensive management plan for  
3 each System unit within the jurisdiction of the  
4 Secretaries that is designated by Congress after  
5 the date of enactment of this Act—

6 (i) to maximize the protection and en-  
7 joyment of the remarkable recreational val-  
8 ues of the System unit; and

9 (ii) to protect the natural features of  
10 the System unit that support recreation.

11 (B) TIMING.—

12 (i) IN GENERAL.—Except as provided  
13 in clause (ii), a comprehensive manage-  
14 ment plan described in subparagraph (A)  
15 shall be completed by not later than 3  
16 years after the date of designation of the  
17 System unit, subject to the availability of  
18 funds and resources.

19 (ii) INADEQUATE FUNDS AND RE-  
20 SOURCES.—If funds and resources are not  
21 available in accordance with clause (i), the  
22 applicable agency may complete the plan  
23 as part of the regular management plan  
24 revisions of the agency.

1 (C) REVIEW.—A comprehensive manage-  
2 ment plan described in subparagraph (A) shall  
3 be regularly reviewed and updated as part of  
4 the regular land management planning process  
5 of the applicable agency.

6 (D) MANAGEMENT BY SECRETARY.—The  
7 Secretary shall manage each National Recre-  
8 ation Area in accordance with the management  
9 plan for the National Recreation Area in effect  
10 at the time of the designation, to the extent the  
11 plan is consistent with this Act and the Act  
12 designating the National Recreation Area, until  
13 the plan is revised or superseded by a new com-  
14 prehensive management plan issued in accord-  
15 ance with this subsection.

16 (E) REQUIREMENTS.—A comprehensive  
17 management plan prepared under subparagraph  
18 (A) shall—

19 (i) identify the existing, and to the ex-  
20 tent practicable, prospective remarkable  
21 recreational and other important values of  
22 the System unit;

23 (ii) ensure the System unit is man-  
24 aged to protect and enhance purposes for  
25 which the System unit was established;

1 (iii) ensure the System unit is man-  
2 aged to protect and enhance the resources  
3 that make the area suitable for designation  
4 under subsection (c)(2) in accordance with  
5 subsection (a);

6 (iv) be coordinated with resource man-  
7 agement planning for affected adjacent  
8 Federal land;

9 (v) be prepared—

10 (I) in accordance with the Fed-  
11 eral Land Policy and Management  
12 Act of 1976 (43 U.S.C. 1701 et seq.)  
13 or section 14 of the National Forest  
14 Management Act of 1976 (16 U.S.C.  
15 472a), as applicable; and

16 (II) in consultation with States,  
17 political subdivisions of States, af-  
18 fected Indian tribes, adjacent land-  
19 owners, and the public; and

20 (vi) designate a sustainable road and  
21 trail network, consistent with subsection  
22 (a) and the purposes for which the System  
23 was established.

24 (F) NOTICE.—The Secretary shall publish  
25 in the Federal Register notice of the completion

1           and availability of a plan prepared under this  
2           paragraph.

3           (f) POTENTIAL ADDITIONS TO NATIONAL RECRE-  
4   ATION AREA SYSTEM.—

5           (1) ELIGIBLE AREA.—An area eligible for inclu-  
6           sion in the System is an area that possesses one or  
7           more of the remarkable recreational values described  
8           in subsection (a)(1)(B).

9           (2) POTENTIAL ADDITIONS.—In carrying out  
10          the land management planning process, the Sec-  
11         retary shall—

12                 (A) identify eligible areas that possess re-  
13                 markable recreational values described in sub-  
14                 section (a)(1)(B);

15                 (B) develop and maintain a list of eligible  
16                 areas as potential additions to the System;

17                 (C) ensure that relevant land management  
18                 plans support the recreational values of areas  
19                 identified as potential additions to the System;  
20                 and

21                 (D) consider input from the Governor of,  
22                 political subdivisions of, and affected Indian  
23                 tribes located in, the State in which the eligible  
24                 areas are located.

1 (g) EXISTING NATIONAL RECREATION AREAS.—

2 Each National Recreation Area that is under the jurisdic-  
3 tion of the Forest Service or the Bureau of Land Manage-  
4 ment and that was established before the date of enact-  
5 ment of this Act shall be—

6 (1) deemed to be a unit of the System; and

7 (2) notwithstanding subsection (d)—

8 (A) administered under the law pertaining  
9 to the applicable System unit; and

10 (B) managed in accordance with the pur-  
11 poses set forth in the original designation of the  
12 National Recreation Area.

13 (h) STANDARD FEES.—In accordance with sections  
14 803 through 808 of the Consolidated Appropriations Act,  
15 2005 (16 U.S.C. 6802–6807), the Secretary may establish  
16 a standard amenity fee at each National Recreation Area  
17 designated after the date of enactment of this Act that  
18 is managed by the Bureau of Land Management or the  
19 Forest Service, if—

20 (1) the purpose of the fee is to enhance visitor  
21 services and stewardship of the recreation area; and

22 (2) the establishment of a fee is not prohibited  
23 by other Federal law.

24 (i) COMPLIANCE WITH EXISTING LAWS.—Nothing in  
25 this section modifies any obligation—

1           (1) of the Secretary to prepare or implement a  
2       land use plan in accordance with section 202 of the  
3       Federal Land Policy and Management Act of 1976  
4       (43 U.S.C. 1712) or section 6 of the Forest and  
5       Rangeland Renewable Resources Planning Act of  
6       1974 (16 U.S.C. 1604);

7           (2) under the Endangered Species Act of 1973  
8       (16 U.S.C. 1531 et seq.);

9           (3) under the Federal Water Pollution Control  
10      Act (33 U.S.C. 1251 et seq.); or

11          (4) under any other applicable law.

12      (j) APPLICABILITY OF OTHER LAND MANAGEMENT  
13      DESIGNATIONS.—Nothing in this section affects—

14          (1) any other land or water management des-  
15      ignation under any other provision of law; or

16          (2) any obligation to comply with a requirement  
17      applicable to such a designation.

18      (k) NATIVE AMERICAN TREATY RIGHTS.—Nothing  
19      in this section alters, modifies, enlarges, diminishes, or ab-  
20      rogates the treaty rights of any Indian tribe, including any  
21      off-reservation reserved rights.

# **TITLE IV—MAINTENANCE OF PUBLIC LAND**

## **Subtitle A—Volunteers**

### **SEC. 401. PRIVATE-SECTOR VOLUNTEER ENHANCEMENT PROGRAM.**

(a) PURPOSE.—The purpose of this section is to promote private-sector volunteer programs within the Department of the Interior and the Department of Agriculture to enhance stewardship, recreation access, and sustainability of the resources, values, and facilities of the Federal land managed by the Federal land management agencies.

(b) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term “Federal land” means any land—

(A) owned by the United States; and

(B) managed by the head of a Federal land management agency.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

1 (B) the Secretary of the Interior, with re-  
2 spect to land managed by the Bureau of Land  
3 Management.

4 (3) VOLUNTEER.—The term “volunteer” means  
5 any individual who performs volunteer services under  
6 this section.

7 (c) ESTABLISHMENT.—The Secretary concerned  
8 shall develop an initiative to further enhance private-sector  
9 volunteer programs and to actively promote private-sector  
10 volunteer opportunities and provide outreach and coordi-  
11 nation to the private sector.

12 (d) COOPERATIVE AGREEMENTS FOR STEWARDSHIP  
13 OF FEDERAL LAND.—

14 (1) AUTHORITY TO ENTER INTO AGREE-  
15 MENTS.—The Secretary concerned may enter into  
16 cooperative agreements (in accordance with section  
17 6305 of title 31, United States Code) with private  
18 agencies, organizations, institutions, corporations,  
19 individuals, or other entities to carry out one or  
20 more projects or programs with a Federal land man-  
21 agement agency in accordance with this section.

22 (2) PROJECT AND PROGRAM INSTRUCTIONS.—  
23 The Secretary concerned shall include in the cooper-  
24 ative agreement the desired outcomes of the project

1 or program and the guidelines for the volunteers to  
2 follow, including—

3 (A) the physical boundaries of the project  
4 or program;

5 (B) the equipment the volunteers are au-  
6 thorized to use to complete the project or pro-  
7 gram;

8 (C) the training the volunteers are re-  
9 quired to complete, including agency consider-  
10 ation and incorporation of trainings offered by  
11 qualified nongovernmental organizations and  
12 volunteer partner organizations;

13 (D) the actions the volunteers are author-  
14 ized to take to complete the project or program;  
15 and

16 (E) any other information that the Sec-  
17 retary concerned determines necessary for the  
18 volunteer group to complete the project or pro-  
19 gram.

20 (3) AUTHORIZED PROJECTS AND PROGRAMS.—  
21 Subject to paragraph (4), the Secretary concerned  
22 may use a cooperative agreement to carry out  
23 projects and programs for Federal land that—

24 (A) promote the stewardship of resources  
25 of Federal land by volunteers;

1 (B) support maintaining the resources,  
2 trails, and facilities on Federal land in a sus-  
3 tainable manner;

4 (C) increase awareness, understanding,  
5 and stewardship of Federal land through the  
6 development, publication, or distribution of edu-  
7 cational materials and products; and

8 (D) advance education concerning the Fed-  
9 eral land and the missions of the Federal land  
10 management agencies through the use of the  
11 Federal land as outdoor classrooms and devel-  
12 opment of other educational programs.

13 (4) CONDITIONS ON USE OF AUTHORITY.—The  
14 Secretary concerned may use a cooperative agree-  
15 ment under paragraph (1) to carry out a project or  
16 program for the Federal land only if the project or  
17 program—

18 (A) complies with all Federal laws (includ-  
19 ing regulations) and policies;

20 (B) is consistent with an applicable man-  
21 agement plan for any Federal land and waters  
22 involved;

23 (C) is monitored by the relevant Federal  
24 land management agency during the project  
25 and after project completion to determine com-

1           pliance with the instructions under paragraph  
2           (2); and

3                   (D) satisfies such other terms and condi-  
4           tions as the Secretary concerned determines to  
5           be appropriate.

6           **Subtitle B—Priority Trail**  
7           **Maintenance**

8   **SEC. 411. INTERAGENCY TRAIL MANAGEMENT.**

9           (a) IN GENERAL.—The Secretaries shall establish an  
10   interagency trail management plan under which Federal  
11   land management agencies shall coordinate so that trails  
12   that cross jurisdictional boundaries between the Federal  
13   land management agencies are managed and maintained  
14   in a uniform manner.

15          (b) REQUIREMENT.—The plan established under sub-  
16   section (a) shall ensure compliance with all Federal envi-  
17   ronmental laws applicable to each jurisdiction.

○